

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF MENTAL HEALTH**

**NOTIFICATION OF TRANSFER
M.G.L. Chapter 123, Section 3**

TO: Name of Patient: _____

Address: _____ City/Town: _____ State: _____

Social Security Number: _____ Date of Birth: _____ Sex: M ____
F ____

FROM: Superintendent (or other head) of _____
(name of facility)

After reviewing your need for care and treatment, it has been determined that you should be transferred to _____ for the following reasons:
(name of facility)

Pursuant to M.G.L. C. 123, s. 3, I am giving you at least six days notice of the intent to transfer you. You will be transferred on _____ or as soon thereafter as
(date of transfer)
appropriate arrangements can be made.

YOUR ADMISSION OR COMMITMENT STATUS IS M.G.L. C. 123, s. _____. DEPENDING ON YOUR STATUS, THE FOLLOWING APPLIES TO YOU (check A., B., C., D. or E., below):

_____ **A. VOLUNTARY ADMISSION STATUS (M.G.L. c. 123, ss. 10 & 11):** If you are at this facility on a VOLUNTARY ADMISSION STATUS, you may agree to or object to this transfer. Absent an emergency, the transfer may not proceed without your agreement. You may waive the six day notice requirement. *Please check the appropriate line and sign on the back of this notice.*

_____ **B. CONDITIONAL VOLUNTARY ADMISSION STATUS (M.G.L. c. 123, ss. 10 & 11):**

1. If you are at this facility on a CONDITIONAL VOLUNTARY ADMISSION STATUS and agree with the transfer, your transfer will take place as above. You may waive the six day notice requirement. *Please check the appropriate line and sign on the back of this notice.*

2. If you are at this facility on CONDITIONAL VOLUNTARY ADMISSION STATUS and give notice of your objection to this transfer, either in writing or verbally, I will either:

- a. keep you at this facility; *or*
- b. treat that objection as your three-day notice to leave the facility and discharge you to the community; *or*
- c. treat that objection as your three-day notice to leave the facility and file a petition for your commitment to this facility, if it is determined that you meet the standards for commitment. If your commitment is ordered, you will be transferred on the day following your commitment, or as soon thereafter as appropriate arrangements can be made. (In an emergency, you may be transferred immediately, and the commitment petition will be filed in the court with jurisdiction over the facility to which you are transferred.)

You may, but are not required to, check the appropriate line and sign on the back of this notice to indicate your objection to this transfer.

C. CIVIL COMMITMENT STATUS (M.G.L. c. 123, s. 7 & 8): If you are at this facility on a CIVIL COMMITMENT STATUS, you will be transferred, as stated in this notice, once the six day notice requirement is met. If you agree to waive the six day notice requirement, you will be transferred as soon as it can be arranged. *Please check the appropriate line and sign this notice below.*

D. THREE DAY COMMITMENT STATUS (M.G.L. c 123, ss. 12(b) or 12(e): If you are at this facility on a THREE DAY COMMITMENT STATUS and you:

1. agree to the transfer, your transfer will take place as stated in this notice. If you agree to waive the six day notice requirement, you will be transferred as soon as it can be arranged. *Please check the appropriate line and sign this notice below.*
2. object to the transfer, I will either:
 - a. discharge you to the community on or before the expiration date of your three day commitment authorization; or
 - b. file a commitment petition. If it is determined that you meet the standards for commitment and your commitment is ordered, you will be transferred on the day following your commitment, or as soon thereafter as appropriate arrangements can be made.

You may, but are not required to, check the appropriate line and sign this notice below to indicate your objection to this transfer.

E. CIVIL COMMITMENT WITH CRIMINAL CHARGES STATUS (M.G.L. c. 123, ss. 15, 16, 17 or 18): If you are at this facility on a CIVIL COMMITMENT WITH CRIMINAL CHARGES STATUS, you will be transferred once the six day notice requirement and the requirement of notice to the Court, District Attorney's Office, and/or Department of Corrections facility, which have jurisdiction over your case, have been met. You may waive the six days notice. *Please check the appropriate line and sign this notice below.*

_____ This transfer is being (has been) made on an emergency basis, as defined at 104 CMR 27.08 (1) because your condition cannot be appropriately treated at this facility, specifically:_____

Signature of Superintendent (or other head) of facility_____

(signature)

Superintendent (or other head) of facility_____

(print name)

Title:_____ Date:_____

I have received notice of the facility's intent to transfer me and I:

_____ agree to this proposed transfer.

_____ agree to this proposed transfer and waive the six-day notice of transfer requirement.

_____ object to this proposed transfer.

Signature:_____

(patient, parent of a minor or guardian with authority to admit) (date)

Witness:_____

If patient refuses to sign, please complete below.

On this date, I gave a copy of this notice to the patient to whom the notice is addressed:

(signature) (date)

A COPY OF THIS NOTICE MUST BE GIVEN TO THE PATIENT, THE PATIENT'S GUARDIAN, IF ANY, AND THE PATIENT'S NEAREST RELATIVE UNLESS THE PATIENT KNOWINGLY OBJECTS. THE ORIGINAL NOTICE, WITH THE PATIENT'S ORIGINAL LEGAL STATUS DOCUMENTS ATTACHED, MUST BE PLACED IN THE PATIENT'S MEDICAL RECORD AT THE RECEIVING FACILITY. THE SENDING FACILITY MUST KEEP COPIES FOR ITS OWN PATIENT RECORD.